

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark A. Kutney, AICP, Development Services Director/ (954) 797-1101
Prepared by: Ingrid Allen, Planner II

SUBJECT: Plat, P 8-1-05 / 05-583 / Sessa Danielle / 4343 South State Road 7 /
Generally located on the west side of State Road 7/US441 between Orange
Drive and Oakes Road

AFFECTED DISTRICT: District 1

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE "SESSA DANIELLE PLAT" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF:

The petitioner requests approval of the plat known as the "Sessa Danielle Plat." The subject site consists of 2.9778 gross acres (129,713 square feet) and is restricted to 21,200 square feet of commercial use. The plat request pertains to an existing shopping center and therefore the petitioner is not proposing new construction or the demolition of any existing structures on the site. The intent of the petitioner is to legalize the existing use.

PREVIOUS ACTIONS: None

CONCURRENCES: At the August 23, 2006 Planning and Zoning Board meeting, Mr. Stevens made a motion, seconded by Mr. Busey, to approve P 8-1-05. (Motion carried 4-0).

FISCAL IMPACT: N/A

RECOMMENDATION(S):

Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration subject to the following conditions:

1. Contingent upon approval of Flex application, FX 12-2-05, submitted concurrently with Plat application.
2. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.

Attachment(s): Resolution, Planning Report, Plat

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE "SESSA DANIELLE PLAT" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed plat to be known as the "Sessa Danielle Plat" was considered by the Town of Davie Planning and Zoning Board on August 23, 2006;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The plat known as the "Sessa Danielle Plat" is hereby approved subject to the conditions stated on the planning report which is attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. The Mayor is authorized to sign said plat on behalf of the Town and the Town Clerk is directed to affix the Town seal to said plat.

SECTION 3. Any improvements required to satisfy Traffic Concurrency should be located within the Town of Davie.

SECTION 4. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2006.

MAYOR/COUNCILMEMBER

Attest:

TOWN CLERK

APPROVED THIS ____ DAY OF _____, 2006.

Application: P 8-1-05 / 05-583 / Sessa Danielle Plat
Exhibit "A"

Revisions: 8/28/06
Original Report Date: 8/8/06

TOWN OF DAVIE
Development Services Department
Planning and Zoning Division
Staff Report and Recommendation

Applicant Information

Owner:

Name: Joseph Danielle
Address: 4343 South State Road 7
City: Davie, FL 33314
Phone: (954) 316-7557

Petitioner:

Name: Linda Strutt Consulting, Inc.
Address: 227 Goolsby Blvd.
City: Deerfield Beach, FL 33442
Phone: (954) 336-8870

Background Information

Application Request: Approval of the plat known as the "Sessa Danielle Plat"

Address: 4343 South State Road 7

Location: Generally located on the west side of State Road 7/US441 between Orange Drive and Oakes Road

Future Land Use

Plan Designation: Industrial

Zoning: B-3, Planned Business Center District

Existing Use: one-story shopping center

Proposed Use(s): one-story shopping center

Gross Parcel Size: 2.9778 acres (129,713 sq. ft.)

Surrounding Future Land Use

Plan Map Designations:

North: Industrial
South: Industrial
East: Electrical Generation Facility (Unincorporated Area of Broward County)
West: Industrial

Surrounding Uses

North: Salvage yard
South: Office building
East: Broward County Resource Recovery Site
West: Vacant

	<u>Surrounding Zoning:</u>
North:	M-4, Hacienda Village
South:	M-4, Hacienda Village & M-1, Light Industrial District
East:	Broward County Resource Recovery Site
West:	M-1, Light Industrial District & M-3 Hacienda Village

Zoning History

Previous Requests: The Site Plan, SP 9-8-96 Sessa Center, was approved by Town Council on December 18, 1996.

A Site Plan Modification, SP 12-8-98, revising landscaping was approved by Planning and Zoning on September 10, 1999.

The Plat, South Florida Warehousing II, was approved by Town Council on August 5, 1987 and was later recorded by the County in Book 138 of plats at page 17 of the public records of Broward County, Florida.

The Plat, P 9-1-99 Sessa Danielle, was withdrawn by the applicant on July 17, 2000.

The Plat, 7-1-00 Sessa Danielle, was withdrawn by staff on May 6, 2002.

Concurrent Requests: Flex application, FX 12-2-05, requesting allocation of the 20% Industrial to Commercial Flexibility Rule to the 2.9778 acre Sessa Danielle Plat in accordance with the Broward County Land Use Plan and the Administrative Rules Document: Broward County Land Use Plan.

Application Details

The applicant's SUBMISSION indicates the following:

1. *Site:* The subject site consists of 2.98 acres (129,713 square feet)
2. *Restrictive Note:* The plat is restricted to 21,200 square feet of commercial use.
3. *Access:* Access onto the site is via State Road 7. A NVAL is shown on the Plat along SR7 with the opening approved by FDOT and the county staff which is 50 feet wide and located approximately at the center of the State Road 7 right-of-way.
4. *Trails:* Not Applicable
5. *Easements and Reservation:* A 15 foot utility easement is dedicated on the Plat over the installed water line and along SR7 (8 feet after ROW dedication). A 50 foot drainage easement is provided along the western half of the northern boundary for the relocated canal with an adjacent 20 foot canal maintenance easement connecting to the previously recorded 20 foot canal maintenance easement along the western boundary adjacent to

the off-site canal. A 24 foot joint access easement on the southern boundary dedicated by the previous plat is being maintained. All easements correspond to previously approved utility and drainage plans. Since this is a built site, they correspond to installed utilities.

6. *Dedications:* An additional 12 feet of right-of-way is being dedicated by this plat for SR7 as required by the Broward County Development Review Requirements.
 7. *Drainage:* The drainage plans with which the Plat complies, have been approved and permitted by the CBWCD. The Plat is scheduled for CBWCD approval on August 23, 2006.
 8. *Compatibility:* The petitioner has submitted, concurrently with this Plat Application, a Flex Application (FX 12-2-05) requesting the allocation of the 20% Industrial-to-Commercial Flexibility Rule to the site area. The site plan, SP 9-8-96, for the existing shopping center was approved by Town Council on December 18, 1996, although Commercial Flex was not allocated at that time. The existing shopping center will be in compliance with the permitted uses of the Town of Davie Future Land Use Element so long as the 20% Industrial-to-Commercial Flexibility Rule is allocated by the Town.
-

Applicable Codes and Ordinances

The SR7/441 Corridor Master Plan was approved by Town Council on September 7, 2005 (R-2005-236) as a vision for promoting economic vitality, aesthetic improvement, community redevelopment and safety in this industrial and commercial area of the Town.

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Section 12-360(B) (1) of the Land Development Code, platting requirements.

Section 12-366.1 (A) thru (D) Submission requirements for plats.

Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 6. Planning Area 6 includes lands located south of State Road 84, east of University Drive and north of Nova Drive, together with lands located east of the Florida Turnpike and west of State Road 7, south of State Road 84 and north of the south Town limits. The majority of this planning area is industrially zoned and land used plan designated. There are small commercial parcels along the State Road 7 corridor with one large retail center being located on the southeast corner of University Drive and State Road 84. Commercial flexibility has been applied to parcels on Nova Drive.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 58.

Applicable Goals, Objectives & Policies:

Future Land Use Plan, Objective 5: Consistency of Development with Comprehensive Plan, Policy 5-2: The (re)zoning, (re)platting, and site planning of land shall be in compliance with the density

ranges shown on the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Use portion of the Implementation Section.

Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Significant Development Review Committee (DRC) Comments

The following comments represent significant comments made by the Development Review Committee as part of the review process. All comments have been addressed.

Engineering Division:

1. Provide 12 feet of road right-of-way along State Road 7.
 2. Provide copy of approved vacations for all abandoned easements noted on plat.
 3. Provide drainage easement and canal maintenance easement for portions of canal that are inside the proposed plat.
-

Staff Analysis

This Plat application pertains to an existing shopping center and therefore the petitioner is not proposing new construction or the demolition of existing structures at the site. The intent of the petitioner is to legalize the existing use. This Plat application has been submitted concurrently with Flex application, FX 12-2-05, and is consistent with the Comprehensive Plan and Land Development Code.

The proposed Plat lies within the adopted SR7/441 Corridor Master Plan that was approved by Town Council on September 7, 2005. A proposed future land use map amendment will designate approximately 925 acres of property along the State Road 7 Corridor as "Transited Oriented Development". The Master Plan calls for planned improvements to the regional road network.

The Broward County Development Review Report recommends the construction of a southbound right turn lane on SR7. The Town of Davie Engineering Division did not request a turn lane. The SR7 Corridor Master Plan designates a series of internal local roads to relieve congestion on SR7 and allow for other methods of accessing the area. Any additional widening of the cross-section of SR7 affects the ability to achieve the conceptually approved SR7 cross-section indicating buildings brought up to the road, wider sidewalks for bikes and pedestrians, and dedicated transit lanes. The ability to create a sense of place has been defined as a 3:1 ratio of road to building height whereby 12 extra feet from face of building to face of building will require 4 extra feet of height on a building. However, the Town of Davie is working with Broward County and the Department of Transportation to synchronize all SR7 master plans to be consistent with the Town approved SR7 cross-section. When this occurs, the applicant can request a vacation of right-of-way.

As a result of these planned improvements, the petitioner is not in agreement with the Broward County Development Review Report recommendation of a southbound right turn lane on SR7.

Findings of Fact

Staff finds that the proposed plat for the existing shopping center is compatible with the Comprehensive Plan, Land Development Code and adjacent properties. The site is consistent with the identifiable characteristics of Planning Area 6 which includes small commercial parcels located along the State Road 7 corridor.

Staff Recommendation

Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration subject to the following conditions:

1. Contingent upon approval of Flex application, FX 12-2-05, submitted concurrently with Plat application.
 2. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.
-

Planning and Zoning Board Recommendation

At the August 23, 2006 Planning and Zoning Board meeting, Mr. Stevens made a motion, seconded by Mr. Busey, to approve P 8-1-05. (Motion carried 4-0).

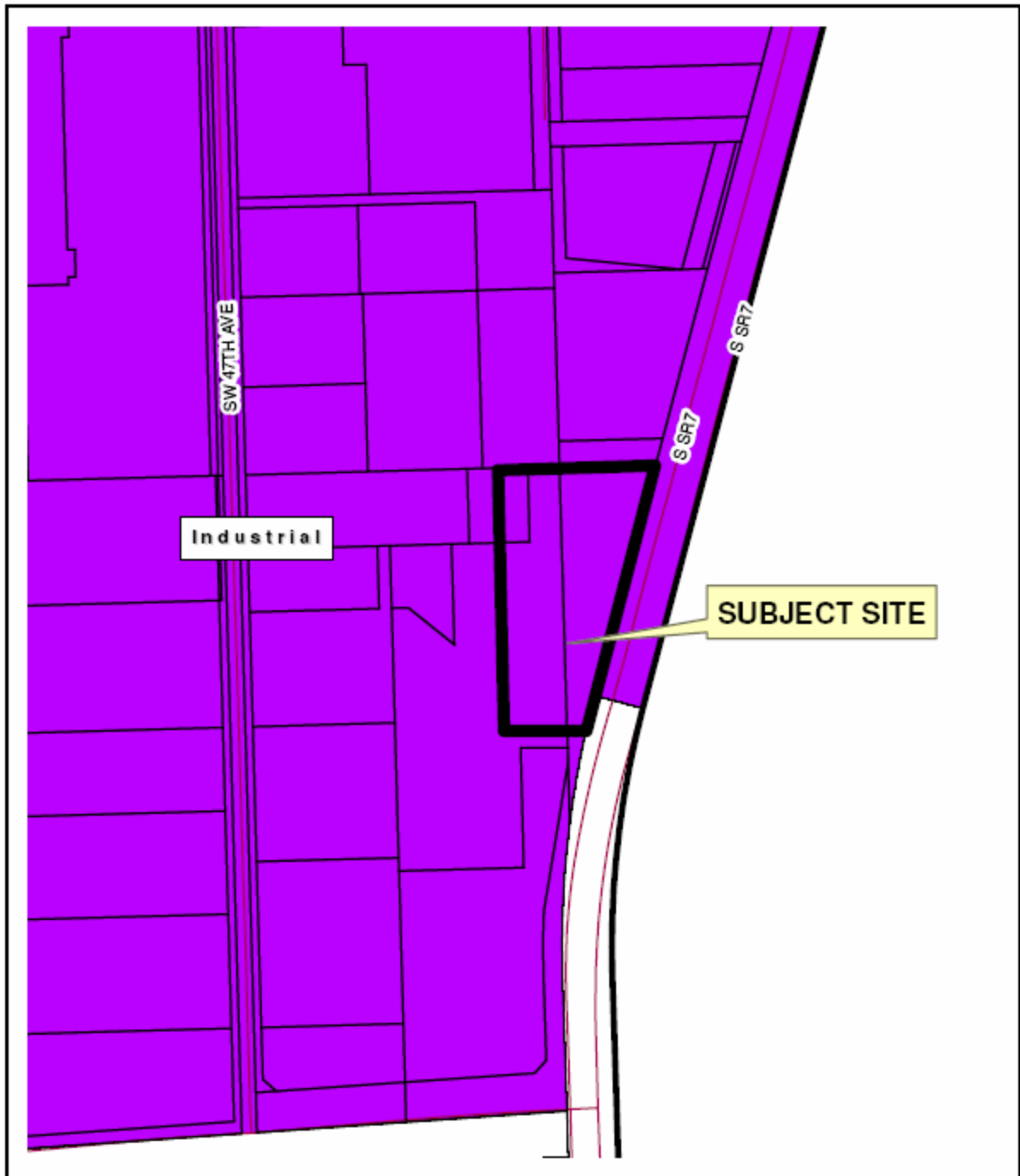
Town Council Action

Exhibits

1. Future Land Use Plan Map
2. Zoning and Aerial Map
3. Plat

Prepared by: _____

Reviewed by: _____



0 150 300 600 Feet

Prepared by the Town of Davie GIS Division

**PLAT
P 8-1-05
Future Land Use Map**

Prepared by: ID
Date Prepared: 8/1/08



Date Flown:
12/2004



0 150 300 600
Feet

Prepared by the Town of Davie GIS Division

PLAT **P 8-1-05** **Zoning and Aerial Map**

Prepared by: ID
Date Prepared: 8/1/08

* * * * *

THIS PAGE
INTENTIONALLY
LEFT BLANK

* * * * *